

In item 2 on page 2 of the Office Action, the Examiner indicated that the present application contains groups of claims (i.e., inventions I-XI) which are not so linked as to form a single inventive concept under PCT Rule 13.1. However, the Examiner did not provide any explanation showing that there is no single general inventive concept among the groups, nor has the Examiner specifically described the unique special technical feature in each group, as required by (2) discussed above.


Instead, in items 4-15 on pages 3-4 of the Office Action, the Examiner indicated that the listed groups of claims (i.e., inventions I-XI) are independent or distinct from each other because they are related as subcombinations disclosed as usable together in a single combination. Moreover, in item 17 on page 4 of the Office Action, the Examiner indicated that there would be a serious search and examination burden if restriction were not required. Thus, it appears that the Examiner has attempted to apply restriction practice pursuant to 37 CFR 1.141 - 1.146, which as discussed above is improper, in order to provide a reason why there is no single general inventive concept specifically describing the unique special technical feature in each group of claims. However, the Examiner's reasoning does not comport with MPEP § 1893.03(d) because it does not explain why there is no single general inventive concept specifically describing the unique special technical feature in each group of claims. Consequently, the Examiner has not established that there is not a single general inventive concept specifically describing the unique special technical feature in each group of claims, and thus the restriction requirement is improper.

For at least the reasons set forth above, the Applicant respectfully requests withdrawal of the restriction and a full examination on the merits of all of the claims in the present application.

If there are any issues that the Examiner feels may best be resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

Respectfully submitted,

Hiroaki MASUYAMA

By: 
Kevin McDermott
Registration No. 48,113
Attorney for Applicants

KM/JRF/km/lkd
Washington, D.C. 20006-1021
Telephone (202) 721-8200
Facsimile (202) 721-8250
July 2, 2008